

Wetlands Bureau Decision Report

Decisions Taken
02/09/2004 to 02/13/2004

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2002-02680 DEPIETRI, WILLIAM
WOLFEBORO Lake Winnepesaukee

Requested Action:

Permanently remove an 8 ft 10 in by 64 ft 5 in crib supported dock, dredge 60 cy from 1100 sqft of lakebed, and excavate 245 sqft along 55 linear ft of the shoreline to construct a 38 by 40 dug in boathouse and a 6 ft by 36 ft wharf accessed by a 9 ft by 6 ft walkway, behind full lake elevation on 202 ft of frontage on Lake Winnepesaukee, Wolfeboro.

Conservation Commission/Staff Comments:

Con Com has no objections.

Abutter opposes project and infers sand migration problem.

Inspection Date: 06/04/2003 by Dale R Keirstead

APPROVE PERMIT:

Permanently remove an 8 ft 10 in by 64 ft 5 in crib supported dock, dredge 60 cy from 1100 sqft of lakebed, and excavate 245 sqft along 55 linear ft of the shoreline to construct a 38 by 40 dug in boathouse and a 6 ft by 36 ft wharf accessed by a 9 ft by 6 ft walkway, behind full lake elevation on 202 ft of frontage on Lake Winnepesaukee, Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by Beckwith Builders Inc. dated December 9 & 10, 2003, as received by the Department on January 12, 2004 and landscape plan by Jordan Associates Inc. dated December 18, 2003, as received by the Department on February 2, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. The owner shall file a restrictive covenant in the appropriate registry of deeds limiting the use of the boathouse to the storage of boats and boating-related accessories. A copy of the recorded covenant permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. Applicant for a shoreline structure defined as a major project shall file a restrictive covenant in the appropriate registry of deeds dedicating the shoreline frontage to those structures.
5. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
6. The boathouse shall be a single-story structure; ridgeline not to exceed 21.4 ft in height (Elev. 525.8) above normal high water (Elev. 504.32).
7. Dewatering of work areas and dredged materials shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liner.
8. All dredged and excavated material and construction related debris shall be placed outside of the areas under the jurisdiction of the DES Wetlands Bureau.
9. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
13. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.

14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

Standards for Approval

1. In accordance with RSA 483-B:6, I, (b), Prior Approval; Permits, any person intending to "[c]onstruct a water dependent structure, alter the bank, or construct or replenish a beach shall obtain approval and all necessary permits pursuant to RSA 482-A."
2. In accordance with RSA 483-B:17, IV, Rulemaking, the commissioner shall adopt rules regulating the "[p]rocedures and criteria for the placement of small accessory structures such as storage sheds and gazebos, the size, placement, and construction of which is consistent with the intent of this chapter."
3. In accordance with RSA 483-B:4, II, Definitions, "[a]ccessory structure means a structure detached from the primary building on the same lot and incidental and subordinate to the primary building or use, such as a pump house, gazebo, or woodshed."
4. In accordance with RSA 483-B:10, II, "Building on nonconforming lots of record shall be limited to single family residential structures and related facilities, including, but not limited to docks, piers, boathouses, boat loading ramps, walkways, and other water dependent structures, consistent with state law."
5. In accordance with RSA 483-B:6, II, Prior Approval; Permits, "[i]n applying for these approvals and permits, such persons shall demonstrate to the satisfaction of the department that the proposal meets or exceeds the development standards of this chapter."
6. In accordance with RSA 483-B:3, Consistency Required, "[a]ll state agencies shall perform their responsibilities in a manner consistent with the intent of this chapter. State and local permits for work within the protected shorelands shall be issued only when consistent with the policies of this chapter."
7. In accordance with RSA 482-A:3, Excavating and Dredging Permits, "[n]o person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp, or in and adjacent to any waters of the state without a permit from the department."
8. In accordance with Rule Wt 302.04(a)(1), Requirements for Application Evaluation, the applicant shall explain the need for the proposed project.
9. In accordance with Rule Wt 302.04(d)(5), Requirements for Application Evaluation, the Department shall not grant permit if the applicant has failed to document consideration of the factors required in Rule Wt 302.04 (a).
10. In accordance with Rule Env-Ws 1405.03, Status, "accessory structures shall: ... (b) Have a footprint no larger than 150 square feet."
11. In accordance with Rule Env-Ws 1405.05, Placement, "no accessory structure shall be built on land having greater than 25% slope."
12. In accordance with Rule Wt 401.01, Purpose, the purpose of Chapter 400, Shoreline Structures, is to protect the public trust, and other interests of the state of New Hampshire and prevent unreasonable encroachment on surface waters. "To preserve the integrity of the surface waters of the state all structures shall be constructed so as to...minimize the reduction of water area available for public use..."
13. In accordance with Rule Wt 402.09(a), Structures Disallowed, boathouses located in or over the waters are not permitted.
14. In accordance with Rule Wt 402.09(b)(1), Structures Disallowed, boathouses over a dredged inlet may be permitted only where they will not adversely affect the stability of the shoreline.
15. In accordance with Rule Wt 402.09(b)(2), Structures Disallowed, boathouse construction shall not result in water quality degradation.
16. In accordance with Rule Wt 402.09(b)(3), Structures Disallowed, boathouse construction shall not adversely impact the existing movement of currents or sediments along the shore.
17. In accordance with Rule Wt 402.09(b)(4), Structures Disallowed, boathouses over a dredged inlet may be permitted only where "[a]lternative docking and storage solutions with less environmental impact do not exist."
18. In accordance with Rule Wt 402.09(b)(5), Structures Disallowed, boathouse construction shall not impact wetlands, streams or similar areas.
19. A maximum of 3 slips may be permitted on this frontage per Rule Wt 402.14, Frontage Over 75'.
20. A boat slip on Lake Winnepesaukee is defined per RSA 482-A:2, VIII as a volume of water 8 ft wide, 25 ft long, and 3 ft deep.
21. In accordance with Rule Wt 302.04(d)(1), Requirements for Application Evaluation, the Department shall not grant permit if there is a practicable alternative that would have a less adverse impact on the area and environments under the Department's jurisdiction.
22. This project is classified as a major project per Rules Wt 303.02(d) and (g), construction of a major docking facility involving dredge of more than 20 cubic yard from public waters.

Findings of Fact

23. On December 17, 2002 the Wetlands Bureau received an application for bank and surface water impacts, on the lot identified as Wolfboro tax map 243, lot 9, for the construction of a dredged inlet for a 2 slip dug-in boathouse and a wharves.
24. A permit is required for the construction of this structure per RSA 482-A. In accordance with RSA 483-B:3 the permit shall be issued only if the project complies with the intent and policies of RSA 483-B.
25. The applicant has an average of 202 feet of shoreline frontage along Lake Winnepesaukee.
26. The existing dock to be removed provides 2 slips as defined per RSA 482-A:2, VIII. There is presently no boat storage provided on this frontage.
27. The proposed docking facilities will provide 3 slips as defined per RSA 482-A:2, Boat slip, and therefore meets Rule Wt 402.14.
28. Two of the proposed slips will also be available for year-round boat storage.
29. The alternative of constructing of a boathouse to provide storage over the water is prohibited per Rule Wt 402.09(a).
30. The proposed structure is intended to store boats belonging to the resident(s) of the property and is therefore incidental and subordinate to the primary residential use of the property and by definition is an accessory structure.
31. Neither RSA 483-B nor the rules governing accessory structures limit the number of accessory structures allowed on a frontage. The construction of a single boathouse with space for the storage of boat related accessories with a single building envelope is less impacting and disruptive to the protected shorelands than the construction of a series of 150 sq ft structures each having its own building envelope. Therefore the size restriction found in Rule Env-Ws 1405.03 is waived to permit the boathouse.
32. The decision to waive an individual rule to allow a less impacting alternative is consistent with the intent of RSA 483-B.
33. This project involves excavating to a point approximately 76 ft landward of the normal high water line. The frontage gains 5.7 ft in elevation over the 76 ft to be disturbed.
34. The average slope through the project area is 7.5%.
35. The 7.5% slope to be impacted is well below the 25% threshold established for accessory structures per Rule Env-Ws 1405.05.
36. The construction of a boathouse utilizing appropriate construction methods, precautions and siltation, erosion and turbidity controls will not result in water quality degradation.
37. The plans submitted illustrate that the impacted shoreline will be restabilized such that the long-term stability of the shoreline will not be adversely affected.
38. The proposed structures will be located entirely within the property of the applicant with no intrusion into the public waters.
39. A minimally sized 3 slip docking facility, with seasonal canopies, constructed over the water would result in 1332 sq ft of intrusion extending at least 30 ft into the public waters and would not allow for the storage of watercraft.
40. DES Staff conducted a field inspection of the proposed project on June 4, 2003. Field inspection determined site could have a sand migration occurrence.
41. The applicant has submitted a sand migration study showing there will not be any significant sand migration on the site.
42. Public hearing is waived based on field inspection, by NH DES staff, on June 4, 2003, with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.

Rulings in Support of the Decision

43. The Applicant has satisfied the requirements of Rule Wt 402.09(b) relative to allowing the construction of a boathouse over a dredged inlet.
44. The construction of a docking facility over the public waters will not meet the Applicant's storage needs.
45. The construction of a docking facility over the water would result in a greater intrusion into the public waters, and therefore, would not be consistent with the purpose of Chapter 400.
46. The language of RSA 483-B:10, II, infers that boathouses are acceptable structures under the Comprehensive Shoreland Protection Act, therefore, the Wetlands Bureau believes that the issuance of this permit is in keeping with the intent of the Act as required per RSA 483-B:3.
47. The Applicant has adequately addressed Rule Wt 302.04(a) as required for approval per Rule Wt 302.04(d).

-Send to Governor and Executive Council-

Requested Action:

Impact approximately 275 square feet within the bed and banks of Swains Lake and Barrington Prime Wetland #46 to replace a deteriorating 36-inch x 58-inch x 30-foot arch culvert and stone headwalls with a 36-inch x 58-inch x 40-foot arch culvert with stone and masonry headwalls, and provide additional space for installation of guardrails on Young Road.

Conservation Commission/Staff Comments:

In a letter to the DES Wetlands Bureau dated November 3, 2003 the Barrington Conservation Commission stated that it supports the project as it is necessary for the safety of both pedestrians and vehicles. The Conservation Commission also stated that it did not feel a prime wetland public hearing would be necessary as all work would be conducted after drawdown of Swains Lake.

Inspection Date: 01/27/2004 by Christian P Williams

APPROVE PERMIT:

Impact approximately 275 square feet within the bed and banks of Swains Lake and Barrington Prime Wetland #46 to replace a deteriorating 36-inch x 58-inch x 30-foot arch culvert and stone headwalls with a 36-inch x 58-inch x 40-foot arch culvert with stone and masonry headwalls, and provide additional space for installation of guardrails on Young Road.

With Conditions:

1. All work shall be in accordance with the Wetlands Impact Plan (Sheet W-1) and the Culvert Replacement Details (Sheet W-2), hereinafter referred to as the "Approved Plans," by Norway Plains Associates, Inc. dated July 2003 and revised February 2, 2004, as received by the Department on February 9, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
4. Work shall be conducted during drawdown.
5. Appropriate erosion and siltation controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Prior to commencing work on a substructure located within surface waters, a temporary cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Temporary cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a temporary cofferdam is fully effective, confined work can proceed without restriction.
9. Temporary cofferdams shall be entirely removed immediately following construction.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Erosion control and construction sequencing notes on the Approved Plans shall be explicitly followed.
12. A professional engineer shall inspect the project to insure compliance with the Approved Plans and permit conditions.
13. Proper headwalls shall be constructed within seven days of culvert installation.
14. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
15. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
16. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
17. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
18. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
19. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

With Findings:

1. The project is categorized as a Major Impact Project, per Administrative Rule Wt 303.02(f), as the project will take place in Barrington Prime Wetland #46.
2. The project will improve public safety by replacing the existing deteriorating culvert.
3. In a letter to the DES Wetlands Bureau dated November 3, 2003 the Barrington Conservation Commission stated that it supports the project as it is necessary for the safety of both pedestrians and vehicles.
4. DES Wetlands Bureau staff conducted a field inspection of the site on January 27, 2004.
5. On January 27, 2004 the DES Wetlands Bureau conducted a Prime Wetland public hearing for the project. No comments were received by the Bureau at the public hearing. At the public hearing the file was kept open until February 10, 2003 for submittal of information requested by the DES Wetlands Bureau in a letter dated October 7, 2003.
6. On February 9, 2004 the DES Wetlands Bureau received additional project information, including revised plans, in response to the Bureau's Request for More Information Letter dated October 7, 2003.
7. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
8. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
9. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
10. The applicant has sufficiently addressed the Criteria for Approval for projects in or contiguous to prime wetlands, as described in Rule Wt 703.01(b).
11. Based on observations made during the field inspection of the site, based on review of information submitted in support of the application, and based on testimony provided at the Prime Wetland public hearing, the Department finds that the project will not result in a significant loss of the functions as values of Barrington Prime Wetland #46.

2003-02309

NOWAK, ROBERT/ROBIN

GOFFSTOWN Unnamed Wetland

Requested Action:

Dredge and fill 20,900 square feet of palustrine forested wetlands and a seasonal stream to provide access to a 19-Lot subdivision known as Oak Hill Estates. Preserve 50.77 acres of open space, consisting of approximately 8.21 acres of jurisdictional wetlands and 42.56 acres of contiguous upland buffer.

Conservation Commission/Staff Comments:

Conservation Commission requested a 40-day intervention on October 16, 2003.

No follow up comments submitted by the Conservation Commission in response to the requested hold.

Inspection Date: 12/03/2003 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Dredge and fill 20,900 square feet of palustrine forested wetlands and a seasonal stream to provide access to a 19-Lot subdivision known as Oak Hill Estates. Preserve 50.77 acres of open space, consisting of approximately 8.21 acres of jurisdictional wetlands and 42.56 acres of contiguous upland buffer.

With Conditions:

1. All work shall be in accordance with plans by Keach-Nordstrom revision date January 16, 2004, as received by the Department on January 20, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.

5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
7. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
8. Work shall be done during low flow or non flow conditions.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Culvert outlets shall be properly rip rapped.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

Wetland preservation:

14. This permit is contingent upon the execution of a conservation easement on 50.77 acres as depicted on plans received January 20, 2004.
15. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
16. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
17. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.
18. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
19. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
20. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
21. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(c), alteration of more than 20,000 sq ft of nontidal jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on December 3, 2004. Field inspection determined additional clarification required for proposed crossings.
6. The agent informed DES personnel during the site inspection that revised plans were being prepared in response to comments from the conservation commission that corresponded with concerns noted by DES personnel.
7. The project will not adversely impact the environment as proposed.
8. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of these wetland ecosystems.

2003-02346 NEW IPSWICH, TOWN OF
NEW IPSWICH Water Loom Pond

Requested Action:

Dredge and fill 1,075 square feet (including 15 square feet of temporary impacts) in Water Loom Pond and associated banks within the Souhegan River water course to replace the Old Country Road Bridge. Work within jurisdiction consists of 230 linear feet of rip rap, construction of a new bridge deck and abutments.

Conservation Commission/Staff Comments:

Conservation Commission requests erosion control plans be submitted by the contractor for review and approval prior to construction.

Souhegan River Local Advisory Committee requests erosion control plans be submitted by the contractor for review and approval and the Conservation Commission be notified prior to the start of construction.

Inspection Date: 12/23/2003 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Dredge and fill 1,075 square feet (including 15 square feet of temporary impacts) in Water Loom Pond and associated banks within the Souhegan River water course to replace the Old Country Road Bridge. Work within jurisdiction consists of 230 linear feet of rip rap, construction of a new bridge deck and abutments.

With Conditions:

1. All work shall be in accordance with plans by Hoyle, Tanner & Associates, Inc. dated September 2003, as received by the Department on October 20, 2003, and revised plan sheet 6 received by the Department on January 16, 2004.
2. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final erosion control plans. Those plans shall detail the timing and methods for temporary siltation, erosion and turbidity control measures to be implemented.
3. The applicant shall notify DES and the New Ipswich conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
4. There shall be no excavation or operation of construction equipment in flowing water.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
6. Work shall be done during low flow.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
9. Unconfined work within the river and pond, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
10. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
11. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
12. Temporary cofferdams shall be entirely removed immediately following construction.
13. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
14. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(h), alteration of more than 200 linear feet of shoreline of a

lake or pond.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on December 12, 2003. Field inspection determined project design depicts site location constraints.
6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this wetland ecosystem.
7. The Department in response to comments submitted by the New Ipswich Conservation Commission and the Souhegan River Local Advisory Committee has determined the contractor responsible for this project shall submit final erosion control plans for review.
8. This project will benefit public safety by replacing the existing bridge which is presently on the NHDOT red list.
9. This project involves work within Water Loom Pond, listed as an artificial impoundment. Therefore the fill placed below normal high water is not considered "fill in public waters".

2004-00060

PEASE DEVELOPMENT AUTHORITY, DIV. OF PORTS & HARBO

RYE Rye Harbor

Requested Action:

Construct in tidal waters a new 100 square foot extension supported by pilings to an existing pier for the reconfiguration of the north dock; construct a 66 square foot cantilevered extension to the same existing pier for the relocation of the existing fuel station; install a new 8 ft x 16 ft float within the north dock reconfiguration; and install 2 new timber lay-up pilings. Project impacts within the tidal waters total 296 square feet. Within the north dock approach area and landward of the existing large rock riprap, impact 600 square feet of developed upland tidal buffer zone for the regrading of the dock approach area, and for the construction of a concrete bulkhead, tied into which will be the structural supports for the north dock. Impact 2,588 square feet of tidal waters for the following removal, maintenance, repair, and replacement of existing structures: remove and dispose of 2 timber guide piles, install, replace one timber lay-up pile, replacement of 20 timber piles with steel piles, replace 5 existing timber ladders, rebuild the existing 12 ft x 80 ft north dock pier, construct a 20 ft x 80 ft timber overlay on the existing south dock pier, and replace one of the existing davit and hoists on the south dock.

Inspection Date: 02/05/2004 by Christina Altimari

APPROVE PERMIT:

Construct in tidal waters a new 100 square foot extension supported by pilings to an existing pier for the reconfiguration of the north dock; construct a 66 square foot cantilevered extension to the same existing pier for the relocation of the existing fuel station; install a new 8 ft x 16 ft float within the north dock reconfiguration; and install 2 new timber lay-up pilings. Project impacts within the tidal waters total 296 square feet. Within the north dock approach area and landward of the existing large rock riprap, impact 600 square feet of developed upland tidal buffer zone for the regrading of the dock approach area, and for the construction of a concrete bulkhead, tied into which will be the structural supports for the north dock. Impact 2,588 square feet of tidal waters for the following removal, maintenance, repair, and replacement of existing structures: remove and dispose of 2 timber guide piles, install, replace one timber lay-up pile, replacement of 20 timber piles with steel piles, replace 5 existing timber ladders, rebuild the existing 12 ft x 80 ft north dock pier, construct a 20 ft x 80 ft timber overlay on the existing south dock pier, and replace one of the existing davit and hoists on the south dock.

With Conditions:

1. All work shall be in accordance with plans by Maguire Group Inc. dated November 17, 2003, as received by the Department on January 12, 2004.
2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon completion.

4. This permit shall not be effective until recorded at the Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
6. The decking of the dock shall have a minimum of 6 ft. clearance from the surface of the mud flat and shall have 3/4-inch spacing between the decking planks and the ramp shall have a minimum of 3 ft. clearance from the surface of the mud flat.
7. Work shall be done during low tide.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
10. For existing structures that are to be repaired, repair shall maintain existing size, location, and configuration.
11. Concrete bulkhead shall be constructed landward of the shoreline defined by the elevation of the highest observable tide line, so as not to create land in public water.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in tidal waters.
2. Public hearing is waived based on DES staff field inspection on February 5, 2004 with the finding that the project impacts will not significantly impair the resources of the Atlantic Ocean.
3. The proposed impacts are needed to repair, maintain, an insure the safety of the structures that constitute the State owned facilities at the Rye Harbor Marina.
6. This approval is consistent with other tidal dock maintenance and repair approvals, and other tidal buffer zone approvals in the seacoast region.

-Send to Governor and Executive Council-

MINOR IMPACT PROJECT

2002-00074

CAMPBELL, WAYNE

FARMINGTON Unnamed Stream Kicking Horse Brook

Requested Action:

Approve name change to: RSA Dev. LLC, 60 Farmington Rd., Ste 400, Rochester, NH 03867per request received 2/11/04.

Conservation Commission/Staff Comments:

*Previous file #2001-0284 is closed.

*The Farmington Conservation Commission raised various concerns with the proposed subdivision - see letters in file for more detail.

APPROVE NAME CHANGE:

Impact approximately 780 square feet (162 linear feet) within the bed and banks of Kicking Horse Brook and fill 3,280 square feet of palustrine scrub-shrub wetland to install an access road serving a 65-unit cluster subdivision on 47.1 acres of land. To help mitigate the impacts for the proposed project, approximately 1,345 square feet (96 linear feet) within the bed and banks of Dames Brook will be restored by removing fill and culverts from a previously existing road crossing.

With Conditions:

1. All work shall be in accordance with revised plans and by Norway Plains Associates, Inc dated 10/16/03, as received by the Department on 10/20/03.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.

3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #2 of this approval.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. This permit is contingent on approval by the DES Site Specific Program.
6. This permit is contingent on approval by the DES Subsurface Systems Bureau.
7. The applicant shall notify DES and the local conservation commission in writing of their intention to begin construction no less than five (5) business days prior to the commencement of construction.
8. Orange construction fencing shall be placed at the limits of construction and clearing to prevent accidental encroachment on wetlands and associated buffers.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
10. Work shall be done during low flow.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
16. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

RESTORATION CONDITIONS:

17. This permit is contingent upon the restoration of approximately 1,345 square feet of Dames Brook in accordance with the revised restoration plan received on 4/9/03.
18. The schedule for construction of the restoration area shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
19. The restoration area shall be properly constructed, landscaped, monitored and remedial actions taken when necessary to create functioning riparian areas similar to those upstream and downstream of the impacted area. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, and changing the hydraulic regime.
20. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the restoration area is constructed in accordance with the restoration plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
21. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the restoration area and schedule remedial actions if necessary. A report that includes photographic documentation shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of the restoration site.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

Requested Action:

Request amendment to impact an additional 840 sq. ft. of wetlands to meet the roadway standards requirement of the Town of Londonderry for 4:1 side slopes.

Conservation Commission/Staff Comments:

The Londonderry Conservation Commission reports: "We have no issues with the D & F to allow access to buildable uplands and to fill an excavated ditch."

APPROVE AMENDMENT:

Approve amendment to: Dredge and fill 7,725 sq. ft. of palustrine forested/ scrub-shrub wetlands to construct an access roadway and develop a multi-family housing complex with appurtenant parking, drainage and storm water management facilities.

With Conditions:

1. All work shall be in accordance with plans by TFMoran dated January 6, 2003 (revised 2/21/03), as received by the Department on June 09, 2003.
2. This permit is contingent on approval by the DES Site Specific Program.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert outlets shall be properly rip rapped.
9. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

Requested Action:

Request name change to:

Gilcreast Realty Holdings II, LLC
c/o Mesiti Development
100 Andover Bypass/ Suite 300
North Andover, MA 01845

APPROVE NAME CHANGE:

Approve name change to:

Gilcreast Realty Holdings II, LLC
c/o Mesiti Development
100 Andover Bypass/ Suite 300
North Andover, MA 01845

Requested Action:

Extend a 1.8 ft. x 4 ft. concrete box culvert by ten feet on each end, construct headers, relocate channel, install stone and outlet a stone lined ditch impacting 119 feet (865 sq. ft.) of stream.

Conservation Commission/Staff Comments:

01-26-04 Cons. Comm. in favor

APPROVE PERMIT:

Extend a 1.8 ft. x 4 ft. concrete box culvert by ten feet on each end, construct headers, relocate channel, install stone and outlet a stone lined ditch impacting 119 feet (865 sq. ft.) of stream. NHDOT project #M-212-3.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Maintenance District 2, as received by the Department on December 19, 2003.
2. This permit supercedes permit #1999-00122.
3. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
4. Construction equipment shall not be located within surface waters.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
7. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
9. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
12. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
13. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
14. The impacts associated with the temporary work shall be restored immediately following construction.
15. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1), alteration of less than 200 linear feet of a perennial stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence, which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. As the downstream plants of concern are on a slope and the hydrology will remain the same, there will be no impacts.

Requested Action:

Remove approximately 339 square feet of unauthorized wetland fill from within 20 feet of abutting Lot 33 (Brentwood Tax Map 2), and retain approximately 4,761 square feet of previously unauthorized fill in forested wetlands to provide storage for a commercial facility.

Conservation Commission/Staff Comments:

In a letter to the Wetlands Bureau dated December 26, 2002 the Brentwood Conservation Commission (ConCom) stated that the project did not minimize wetlands impacts and did not provide adequate stormwater treatment. The ConCom also recommended that the Wetlands Bureau require that no further impact occur on the property.

Inspection Date: 06/18/2003 by Christian P Williams

APPROVE PERMIT:

Remove approximately 339 square feet of unauthorized wetland fill from within 20 feet of abutting Lot 33 (Brentwood Tax Map 2), and retain approximately 4,761 square feet of previously unauthorized fill in forested wetlands to provide storage for a commercial facility.

With Conditions:

1. All work shall be in accordance with the Amended Site Plan (Sheet C1A) by MJS Engineering, PC and Landry Surveying, LLC dated July 17, 2003 and revised November 19, 2003, as received by the Department on December 4, 2003.
2. All unauthorized wetlands fill within 20 feet of abutting Lot 33 (Brentwood Tax Map 2) shall be removed, and the area shall be restored to original contours, seeded with a wetland seed mix that does not contain reed canary grass and stabilized by August 1, 2004.
3. Within 30 days from completion of restoration work the permittee shall submit dated color photographs of the restoration area to the DES Wetlands Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. Work shall be conducted during low flow conditions.
6. Orange construction fencing shall be placed at the limits of the restoration area to prevent accidental encroachment on wetlands.
7. Appropriate erosion, siltation, and turbidity controls shall be installed prior to commencement of restoration work, shall be maintained during restoration work, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. No machinery shall be used in undisturbed areas that are within the jurisdiction of the DES Wetlands Bureau during the restoration. Where machinery must be used in disturbed jurisdictional areas, best management practices shall be used to avoid compaction of the wetlands soils.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Final slope grading shall be no steeper than 2:1. Appropriate measures such as the application of topsoil, seed and mulch shall be applied to the slopes to ensure that the slopes are permanently stabilized.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The use of organics to amend the soil shall not include any manure due to the potential for growth of non-wetland or invasive species.
13. Wetland soils from areas vegetated with purple loosestrife or other invasive species shall not be used in the restoration area.
14. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. The project is categorized as a Minor Impact Project, per Rule Wt 303.03(h), as the project involves less than 20,000 square feet of alteration in nontidal wetlands.
2. On December 5, 2002 the DES Wetlands Bureau received a Standard Dredge and Fill Application to fill 4,729 square feet of forested wetlands and an intermittent stream, and retain 1,931 square feet of previously filled forested wetlands to provide access to

buildable uplands to create additional storage space for an existing commercial development. The application also proposed restoration of 3,169 square feet of previously disturbed forested wetlands.

3. In a letter to the Wetlands Bureau dated December 26, 2002 the Brentwood Conservation Commission (ConCom) stated that the project did not minimize wetlands impacts and did not provide adequate stormwater treatment. The ConCom also recommended that the Wetlands Bureau require that no further impact occur on the property.

4. In a letter dated January 16, 2003 the applicant's authorized agent, MJS Engineering, PC, withdrew the application and indicated that an after-the-fact application to retain the unauthorized wetlands fill would be submitted to the Department by February 28, 2003.

5. In a letter to dated February 4, 2003 the DES Wetlands Bureau notified the applicant that the application had been withdrawn, and recommended submittal of a plan to restore the entire area of unauthorized wetlands fill.

6. On March 28, 2003 the DES Wetlands Bureau received an after-the-fact application to retain 5,100 square feet of unauthorized wetlands fill to provide storage for the commercial development.

7. In a letter to the Department dated May 8, 2003 the owner of abutting Lot 33, Joseph Kelliher, stated that the unauthorized wetlands fill on the applicant's property is causing flooding of his property and subsequent loss of property value. Mr. Kelliher requested that the after-the-fact application be denied and steps taken to reduce the flooding on his property.

8. On June 18, 2003 DES Wetlands Bureau staff conducted a field inspection of the property (Lot 3.2) and the abutting property (Lot 33). During the inspection, DES Wetlands Bureau staff determined that unauthorized fill had been placed in wetlands within 20 feet of the property boundary of Lot 33. Based on observations made during the inspection, the Department finds that there is no evidence to indicate that the unauthorized wetlands fill located near the southern boundary of Lot 3.2 is altering the hydrology of Lot 33.

9. On December 4, 2003 the DES Wetlands Bureau received an Amended Site Plan, indicating that unauthorized wetlands fill within 20 feet of the property boundary of Lot 33 would be removed, and a Drainage Report from MJS Engineering, PC. Review of the Drainage Report, dated November 25, 2003, indicates that re-construction of the detention pond at the northern portion of the property and construction of a diversion berm and drainage swale along the edge of the storage area will serve to reduce post-development flows leaving the site.

10. In response to comments of the Brentwood Conservation Commission referenced in finding #3 above, the Department makes the following findings: a) Minimization of wetlands impacts has been addressed by the applicant's withdrawal of the original application, and the proposal to remove all unauthorized wetlands fill within 20 feet of abutting Lot 33; b) Concerns regarding the adequacy of stormwater treatment have been addressed through reconstruction of the on-site detention pond and construction of a diversion berm and drainage swale along the edge of the storage area; and c) The recommendation that the Wetlands Bureau require that no further impacts occur on the property has been addressed through incorporation of specific condition #2 stating "There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback."

11. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.

2003-00217 DELONG, THOMAS
BARRINGTON Unnamed Wetland

Requested Action:

Approve name change to: HKS Development Corp., PO Box 1, Deerfield NH 03037 per request received 2/13/04.

Conservation Commission/Staff Comments:

No comments received from the Barrington Conservation Commission.

Inspection Date: 04/21/2003 by Vicki P Chase

APPROVE NAME CHANGE:

Fill approximately 1,925 square feet within wet meadow wetlands and retain 2,412 square feet of previously unauthorized fill within wet meadow wetlands to construct a driveway to provide access to a single-family building lot.

With Conditions:

1. All work shall be in accordance with the Wetland Crossing Plan by Bruce Pohopek dated August 18, 2003 and revised December 1, 2003 as received by the Department on January 30, 2004.

2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. Work shall be conducted during low flow and low water conditions.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate erosion, siltation, and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Stone aprons shall be installed at culvert outlets, where appropriate, to dissipate flow velocities and prevent scour and erosion.
10. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

2003-02142 COOK, RICHARD & DAVID SULLIVAN
EAST KINGSTON Unnamed Wetland

Requested Action:

Fill approximately 2,032 square feet of forested wetlands to construct a roadway to provide access to a commercial development. Dredge approximately 2,817 square feet of forested wetlands to construct a pond for fire protection, and dredge and fill approximately 1,862 square feet of forested and wet meadow wetlands and a man-made drainage ditch to construct a stormwater detention pond.

Conservation Commission/Staff Comments:

No comments received from the East Kingston Conservation Commission.

Inspection Date: 12/22/2003 by Christian P Williams

APPROVE PERMIT:

Fill approximately 2,032 square feet of forested wetlands to construct a roadway to provide access to a commercial development. Dredge approximately 2,817 square feet of forested wetlands to construct a pond for fire protection, and dredge and fill approximately 1,862 square feet of forested and wet meadow wetlands and a man-made drainage ditch to construct a stormwater detention pond.

With Conditions:

1. All work shall be in accordance with the following plans by Civil Construction Management Inc.:
 - a) The Grading and Drainage Plan (Sheet 1) dated October 2002 and revised May 15, 2003, as received by the Department on September 22, 2003;
 - b) The Grading and Drainage Plan (Sheets 2 & 3) dated October 2002 and revised December 31, 2003, as received by the Department on January 13, 2004;
 - c) The Driveway Plan and Profile (Sheet 4) dated March 2003 and revised May 15, 2003, as received by the Department on September 22, 2003;
 - d) The Fire Pond Construction Plan (Sheet 6) dated December 2002 and revised March 19, 2003, as received by the Department on September 22, 2003; and
 - e) The Details & Notes (Sheet 7) dated December 2002 and revised December 31, 2003, as received by the Department on January

13, 2004.

2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback, except as necessary to provide access to abutting Lot 16 (East Kingston Tax Map 11).
5. Any work within the Department's jurisdiction to provide access to abutting Lot 16 (East Kingston Tax Map 11) shall require submittal of a new application to the DES Wetlands Bureau for review and approval.
6. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
7. Work shall be conducted during low flow conditions.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Stone aprons shall be installed at culvert outlets, where appropriate, to dissipate flow velocities and prevent scour and erosion.
13. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
14. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
16. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. The project is categorized as a Minor Impact Project, per Administrative Rule Wt 303.03(h), as the project involves less than 20,000 square feet of alteration in nontidal wetlands and surface waters.
2. The majority of proposed jurisdictional impacts associated with construction of the detention pond are to wetlands located within an existing utility right-of-way that are periodically cut and maintained, and a man-made drainage ditch.
3. In a letter dated November 7, 2001 the NH Natural Heritage Inventory indicated that an exemplary natural community, a swamp white oak floodplain forest, is located in the vicinity of the project.
4. In an Inter-Department Communication dated October 14, 2003 the NH Fish & Game Department notified the DES Wetlands Bureau that the Eastern Pondmussel has been identified in the project vicinity.
5. In an Inter-Department Communication dated December 3, 2003 the NH Fish & Game Department stated that the project is not likely to pose a threat to the Eastern Pondmussel.
6. DES Wetlands Bureau staff conducted a field inspection of the property on December 22, 2003. Based on observations made during the field inspection and based on review of project plans, the Department finds that the project will not adversely impact the Swamp White Oak Floodplain Forest located along the PowWow River corridor.
7. A complete technical review of site drainage issues, including stormwater analyses for quality and quantity of stormwater runoff, has been conducted by the DES Site Specific Program. This includes, but is not limited to, review of: methods to control peak stormwater discharge rates; construction erosion controls; and methods for treatment of stormwater runoff from impervious surfaces. Issuance of DES Site Specific Permit WPS 6686 on February 6, 2004 is indicative that all requirements of Env-Ws 415 have been satisfied.
8. The DES Wetlands Bureau received no comments from the East Kingston Conservation Commission.
9. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
10. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
11. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for

Application Evaluation, has been considered in the design of the project.

2004-00037 LAPOINT, JOHN
FRANCESTOWN Tributary To Whiting Brook

Requested Action:

Permanently remove a logging road crossing and restore 1,510 square feet of palustrine forested wetlands and 32 linear feet of a perennial stream. Dredge and fill 1,230 square feet of palustrine forested wetlands and install a 32'x 30" culvert in a perennial stream to provide access to 2 lots of a 3-Lot subdivision

Conservation Commission/Staff Comments:

No comments submitted by the Conservation Commission.

APPROVE PERMIT:

Permanently remove a logging road crossing to restore 1,510 square feet of palustrine forested wetlands and 32 linear feet of a perennial stream. Dredge and fill 1,230 square feet of palustrine forested wetlands and install a 32'x 30" culvert in a perennial stream to provide access to 2 lots of a 3-Lot subdivision per plans received on 12/17/2003.

With Conditions:

1. All work shall be in accordance with plans by TODD Land Use Consultants dated December 17, 2003, as received by the Department on January 8, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. The schedule for construction of the restoration area shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. Work shall be done during low flow or no flow conditions.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culvert outlets shall be properly rip rapped.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. The restoration area shall be properly constructed, landscaped, monitored, and managed in accordance with approved restoration plans.
13. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the restoration area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each mitigation site.
14. Wetland restoration areas shall have at least 75% successful establishment of wetlands vegetation after one growing season, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
15. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
16. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This project will impact 126 linear feet of a perennial stream and therefore is a minor impact project per Administrative Rule Wt 303.03(1), alteration of or disturbance of less than 200 linear feet of a perennial stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Department has determined this project will not adversely impact the environment.

MINIMUM IMPACT PROJECT

2003-00513 OKORP ASSOCIATES, C/O PETER AUTO SALES
NASHUA Unnamed Wetland

Requested Action:

Dredge and fill 842 sq. ft. of an isolated scrub-shrub wetland for the construction of a convenience store and driveway for an existing gas station and car wash.

1,567 sq. ft. of scrub-shrub wetlands buffer along the existing stream course will be created on site to provide water quality protection.

APPROVE PERMIT:

Dredge and fill 842 sq. ft. of an isolated scrub-shrub wetland for the construction of a convenience store and driveway for an existing gas station and car wash.

1,567 sq. ft. of scrub-shrub wetlands buffer along the existing stream course will be created on site to provide water quality protection.

With Conditions:

1. All work shall be in accordance with plans by Bohler Engineering, P.C. dated 01/01/03, as received by the Department on March 21, 2003.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for other construction activities.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work shall be done during low flow.

Wetland Construction:

1. This permit is contingent upon the creation of 1,567 sq. ft. of wetlands in accordance with plans received March 21, 2003.

2003-01994 INDEX PACKAGING
MILTON Unnamed Wetland

Requested Action:

Fill 2997 square feet of isolated wetland for lot development.

Conservation Commission/Staff Comments:

The conservation commission did not comment on this application.

APPROVE PERMIT:

Fill 2997 square feet of isolated wetland for lot development.

With Conditions:

1. All work shall be in accordance with plans by Norway Plains Associates Inc dated August 2003, as received by the Department on August 26, 2003.
2. This permit is contingent on approval by the DES Site Specific Program.
3. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
4. Work shall be done during low flow.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
6. The proposed expansion shall be graded such that stormwater flows to the existing detention basins and not toward the existing forested wetlands.
7. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
9. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
10. Silt fencing must be removed once the area is stabilized.
11. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3000 square feet in swamps.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
4. The wetland proposed to be filled is a small isolated forested wetland with perched hydrology, which is not performing any wetland functions.
5. The proposal to fill this wetland protects the more valuable headwater wetland to the east.
6. The abutters Palmeria and Tabory, of Milton tax map 22 lot 21, are concerned with the filling of this wetland impacting drinking water wells. This wetland does not provide for groundwater recharge therefore there will be no impact on drinking water wells if this wetland is filled.

2003-02011 COLE, JEFFREY & MARILYN
NORTHWOOD Unnamed Stream

Requested Action:

Dredge and fill 760 sq. ft. in the embankments and flow channel of a small perennial stream to install 27 linear feet of 48 in. HDPE culvert with concrete headwalls to construct a driveway to access a single family house lot on a 4.6 acre parcel of land.

APPROVE PERMIT:

Dredge and fill 760 sq. ft. in the embankments and flow channel of a small perennial stream to install 27 linear feet of 48 in. HDPE culvert with concrete headwalls to construct a driveway to access a single family house lot on a 4.6 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by R.S.L. Layout & Design, Inc. dated 6-9-03 (as revised 11/20/03), as received by the Department on December 15, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, for septic setback or other construction activities.
4. Proper headwalls shall be constructed within seven days of culvert installation.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Work shall be done during low flow.

**2003-02246
PELHAM**

KEYES HILL ROAD REALTY TRUST

Requested Action:

Dredge and fill a total of 2,581 sq. ft/ of palustrine forested/ scrub-shrub wetlands, including crossing a seasonal stream, to construct a roadway to access a 7-lot residential subdivision on an 11.3 acre parcel of land.

APPROVE PERMIT:

Dredge and fill a total of 2,581 sq. ft/ of palustrine forested/ scrub-shrub wetlands, including crossing a seasonal stream, to construct a roadway to access a 7-lot residential subdivision on an 11.3 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Edward N. Herbert Assoc., Inc. dated March 21, 2003, as received by the Department on October 03, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit shall not be effective until it has been recorded with the Hillsborough County Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert outlets shall be properly rip rapped.
9. Work shall be done during low flow.

2003-02392

JE FORTIN INC

BOW Turkey River

FORESTRY NOTIFICATION

2004-00010 TENERIFFE MTN DEV. CO LLC, ATTEN: DANIEL FISHER
MILTON Unnamed Stream

COMPLETE NOTIFICATION:
Milton Tax Map 27, Lot# 4

2004-00173 JIM POWERS INC
BATH Unnamed Stream

COMPLETE NOTIFICATION:
Bath Tax Map 13, Lot# 1

2004-00175 STALLBOHM, MICHAEL
NEWBURY Unnamed Stream

COMPLETE NOTIFICATION:
Newbury Tax Map 42, Lot# 790,153

2004-00176 SPRAGUE BROOK INC
RICHMOND Unnamed Stream

COMPLETE NOTIFICATION:
Richmond Tax Map D2, Lot# L1, L2 , L3 & L14

2004-00177 DRUMM, TADD
ERROL Unnamed Stream

COMPLETE NOTIFICATION:
Errol Tax Map R11, Lot# 17

2004-00178 POE, BRADFORD & KATHRYN
DALTON Unnamed Stream

COMPLETE NOTIFICATION:
Dalton Tax Map 404, Lot# 11

2004-00179 WEBSTER LAND CORP, C/O WAGNER FOREST MGMT
SANDWICH Unnamed Stream

COMPLETE NOTIFICATION:
Sandwich Tax map 21, Lot# 2

2004-00180 KING, NOEL
RUMNEY Unnamed Stream

COMPLETE NOTIFICATION:

Rumney Tax map 3, Lot# 01-01

2004-00181 RC BIGELOW INC
MEREDITH Unnamed Stream

COMPLETE NOTIFICATION:

Meredith Tax Map S14, Lot# 17

2004-00182 RC BIGELOW INC
CENTER HARBOR Unnamed Stream

COMPLETE NOTIFICATION:

Ctr Harbor Tax Map 4, Lot# 48

EXPEDITED MINIMUM

2004-00001 PETERBOROUGH, TOWN OF
PETERBOROUGH Unnamed Wetland

Requested Action:

Impact 50 square feet of Lacustrine unconsolidated shore to install a 36-inch by 32 foot culvert. Retain impacts of a 48-inch by 26 foot culvert.

Conservation Commission/Staff Comments:

Peterborough Conservation Commission signed off on this expedited application.

APPROVE PERMIT:

Retain impacts for emergency replacement of a 48-inch by 26 foot culvert. Impact 50 square feet of lacustrine unconsolidated shore to install a 36-inch by 32 foot culvert.

With Conditions:

1. All work shall be in accordance with plans by Edwin Betz dated February 2, 2004, as received by the Department on February 4, 2004.
2. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(j), projects located within the right-of-way of a public road.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES has determined that the culvert replacement was necessary for public safety and right of egress.

2004-00085 BEAN ROAD REALTY LLC
MERRIMACK Unnamed Wetland

Requested Action:

Dredge and fill 1,625 sq. ft. of palustrine forested wetland to construct a roadway/ culvert crossing to access a 29-lot single family residential subdivision on a 125.48 acre parcel of land.

Conservation Commission/Staff Comments:

Merrimack Conservation Commission sign off on this expedited application.

APPROVE PERMIT:

Dredge and fill 1,625 sq. ft. of palustrine forested wetland to construct a roadway/ culvert crossing to access a 29-lot single family residential subdivision on a 125.48 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Brown Engineering, dated November 19 2003, as received by the Department on January 15, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Work shall be done during low flow.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Culvert inverts shall be laid at existing grade.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Culvert outlets shall be properly rip rapped in accordance with the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), as the project will alter less than 3,000 square feet of non tidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

GOLD DREDGE

2004-00224 HOAGE, WAYNE
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
Bath Town Offices & ConCom

LAKES-SEASONAL DOCK NOTIF

2004-00216 DAVIS, THOMAS & MARGARET
MOULTONBOROUGH Bow Lake

COMPLETE NOTIFICATION:
Moultonboro Tax Map 32, Lot# 31 Lake Winnepesaukee

ROADWAY MAINTENANCE NOTIF

2004-00229 NH DEPT OF TRANSPORTATION, DISTRICT 6
BARRINGTON Unnamed Stream